IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SECOND DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 10161 of 2001

Between:

Chalapathi Chit Fund Pvt. Limited, with its office situate

At 3rd line, Laxmipuram, Guntur-522 006, rep. By its

Managing Director Y.V.Anjaneyulu, s/o Seetha Ramaiah, aged 43 years,residing at

Guntur, Guntur District.

..... PETITIONER

AND

The Regional Provident Fund Commissioner,

O/o the Regional Provident Fund Commissioner,

Padmavathi Buildings, Laxmipuram, Guntur,Guntur

District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Certiorari to call for the records pertaining to the Procs.No.AP/19413/7Q/SRO/GNT/2068 and AP/19413/7Q/ SRO/ GNT/ 2069, dated 12-2-2001 issued by the respondent herein, and to quash the same as illegal, arbitrary and contrary to the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act.

Counsel for the Petitioner: MR.A.V.SESHA SAI

Counsel for the Respondent : MR.R.N.REDDY FOR RVAK.

The Court made the following :

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WRIT PETITION NO. 10161 OF 2001

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ORDER:-

Heard both the learned counsel and at their request the main writ petition itself is taken up at the stage of Interlocutory Application.

Petitioner herein filed this writ petition, inter alia, seeking to assail the order dated 12-2-2001 passed under Section 7 Q of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952, which is an appealable one as provided under Section 7-I of the said Act. Having regard to the same, I do not find any justification to entertain this writ petition.

Accordingly, this writ petition is dismissed with liberty to the petitioner to file appeal under section 7-I of the Act within a period of four weeks from today and on filing of the same, the same shall be disposed of on merits in accordance with law after giving opportunity to both the parties. It is needless to mention that the conditional interim order granted by this Court shall remain in operation till the disposal of the appeal. No costs.

22—07—2004.

Stv/-

To

1.The Regional Provident Fund Commissioner,

O/o the Regional Provident Fund Commissioner,

Padmavathi Buildings, Laxmipuram, Guntur,Guntur

District.

2. Two CD copies.